

1 MICHAEL J. STEINER (State Bar No. 112079)
mjs@severson.com
2 MARK D. LONERGAN (State Bar No. 143622)
mdl@severson.com
3 JONAH S. VAN ZANDT (State Bar No. 224348)
jvz@severson.com
4 SEVERSON & WERSON
A Professional Corporation
5 One Embarcadero Center, Suite 2600
San Francisco, California 94111
6 Telephone: (415) 398-3344
Facsimile: (415) 956-0439

8 | Attorneys for Defendant
WELLS FARGO BANK, N.A.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA — SAN FRANCISCO DIVISION

13 STANLEY D. CANNON and
14 PATRICIA R. CANNON,
individually and for all other persons
similarly situated,

Plaintiffs,

VS.

18 WELLS FARGO BANK, N.A. FEDERAL
NATIONAL MORTGAGE ASSOCIATION,
and ASSURANT, INC.,

Defendants.

Case No. 3:12-cv-01376-EMC

**STIPULATION AND [PROPOSED]
ORDER CONTINUING CASE
MANAGEMENT CONFERENCE**

Judge: Edward M. Chen

Action Filed: March 19, 2012
Trial Date: None Set

22 WHEREAS, on September 14, 2012, Wells Fargo Bank, N.A. (“Wells Fargo”), Federal
23 National Mortgage Association (“Fannie Mae”), and Assurant Inc. (“Assurant”) (collectively
24 “Defendants”) each filed a motion to dismiss Plaintiffs’ First Amended Complaint (see Docket
25 #57, 59, and 61.);

26 WHEREAS, on January 8, 2013, this Court issued an Order Granting in Part and Denying
27 In Part Defendants' Motions to Dismiss ("MTD Order") (See Docket #94.);

WHEREAS, the MTD Order dismissed all claims against Fannie Mae and Assurant without prejudice and granted Plaintiffs 30 days' leave to amend;

WHEREAS, pursuant to the MTD order, Plaintiffs' amended complaint is due on February 7, 2013;

WHEREAS, a case management conference (“CMC”) is presently set for 9:30 a.m. on January 29, 2013;

WHEREAS, until plaintiffs filed their amended complaint on or before February 7, 2013, it will not be clear whether Fannie Mae or Assurant remain in this suit as defendants;

9 WHEREAS, the parties believe that continuing the CMC for three weeks after the
10 amended complaint is due would serve the interests of judicial efficiency and conservation of
11 judicial and party resources because it would allow those parties that remain in this case to
12 participate in the case management process; and

13 WHEREAS, Plaintiffs and Wells Fargo have agreed that Plaintiffs may move forward with
14 discovery;

15 NOW, THEREFORE, the parties hereby STIPULATE to and respectfully request that the
16 CMC set for 10:30 a.m. on January 29, 2013 be rescheduled to 10:30 a.m. on February 28, 2013.

SO STIPULATED.

18 | DATED: January 22, 2013 Respectfully submitted,

SEVERSON & WERSON
A Professional Corporation

Attorneys for Defendant WELLS FARGO BANK,
N.A.

1 DATED: January 22, 2013

OWINGS LAW FIRM

3 By: /s/ Stevan A. Owning

4 Steven A. Owning
5 Alexander P. Owning

6 LAW OFFICE OF SHERI L. KELLY
7 Sheri L. Kelly

8 CARTER WALKER PLLC
9 Brent Walker
10 Russell Davis Carter III

11 WAGONER LAW FIRM P.A.
12 Jack Wagoner

13 Attorneys for Plaintiffs,
14 STANLEY CANNON and PATRICIA CANNON

15 DATED: January 22, 2013

FOLEY & LARDNER LLP

16 By: /s/ Nancy L. Stagg
17 Nancy L. Stagg

18 Attorneys for Defendant,
19 FEDERAL NATIONAL MORTGAGE
20 ASSOCIATION

21 DATED: January 22, 2013

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

22 By: /s/ Peter S. Hecker
23 Peter S. Hecker

24 Attorneys for Defendant,
25 ASSURANT, INC.

26 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
27 "conformed" signature (/s/) within this e-filed document.

28

1 **[PROPOSED] ORDER**
2

3 Pursuant to the parties' January 22, 2013 Stipulation Continuing Case Management
4 Conference,

5 **IT IS SO ORDERED.** The Further CMC is reset from 1/29/13 to 2/28/13 at 10:30 a.m.
6 An updated joint CMC Statement shall be filed by 2/21/13.

7 DATED: January 23, 2013

